

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: ETHICON, INC.  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL 2327

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THIS DOCUMENT RELATES TO CASES IDENTIFIED  
ON THE ATTACHED EXHIBIT A:

**ORDER**

(Dismissing the “Ethicon Defendants” with Prejudice  
and Transferring Cases to MDL 2326)

Pending in each of the individual civil actions listed on Exhibit A (attached hereto) is a Motion to Dismiss With Prejudice, filed by the Ethicon defendants as identified in the motions, and collectively referred to as the “Ethicon defendants” pursuant to the procedures established by Pretrial Order # 302. *See* Pretrial Order (“PTO”) # 302, *In re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation*, No. 2:12-md-2327 (“Ethicon MDL 2327”) [ECF No. 6020]. The plaintiff or plaintiffs in each case identified on Exhibit A did not file an objection, and the matter is ripe for consideration.

As stated in PTO # 302, the court established certain procedures to prompt dismissals of settled cases. Under these procedures, the court directed the Ethicon defendants to file a motion to dismiss in each individual case where a plaintiff has provided an executed, valid release, and the defendant has authorized disbursement to the plaintiff of the settlement amount to which the plaintiff’s counsel has agreed. Among other requirements, the court also mandated the Ethicon

defendants to file a declaration certifying the completion of certain procedures in conjunction with the motion to dismiss.

The Ethicon defendants complied with these directives and procedures, and the plaintiffs have not filed an opposition. It appearing to the court that the plaintiffs and the Ethicon defendants have jointly agreed to settle, and have settled their claims, the dismissal of the Ethicon defendants in each case identified on Exhibit A is appropriate. Additionally, the court notes that dismissing the Ethicon defendants from these cases leaves no active defendants from MDL 2327.

Therefore, it is **ORDERED** that:

- 1) the Motion to Dismiss with Prejudice is **GRANTED**; and
- 2) the Ethicon defendants are **DISMISSED WITH PREJUDICE** from the actions listed on the attached Exhibit A;
- 3) these actions are **TRANSFERRED** to MDL 2326
- 4) pursuant to Ethicon MDL PTO # 280 (Docket Control Order –Ethicon, Inc. Wave 8 Cases), as amended by PTO # 303 (Amended Docket Control Order – Ethicon, Inc., Wave 8 Cases) which states the following,

Transfer of any Wave 8 case to any other MDL, whether by ruling upon a motion from plaintiff or defendants or *sua sponte* by the court, does not relieve the plaintiff or any remaining defendant(s) from the deadlines of a Docket Control Order. Any cases transferred into C. R. Bard, Inc. (“Bard”), Boston Scientific Corporation (“BSC”) or American Medical Systems, Inc. (“AMS”), MDLs will immediately be subject to the Docket Control Order entered in that MDL on January 30, 2018, and any Amended Docket Control Orders.

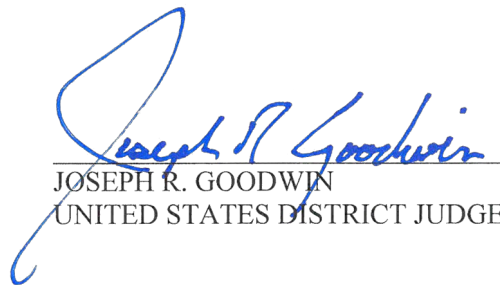
Any civil action listed in Exhibit A that resides in Ethicon Wave 8 is now subject to PTO # 175 as amended by PTO # 187 entered in MDL 2326; and

- 5) to the extent an Amended Short Form complaint has not been filed, plaintiff’s counsel is **DIRECTED** to file the appropriate Amended Short Form Complaint if applicable.

The court **DIRECTS** the Clerk as follows:

- 1) disassociate the civil actions as member cases in MDL 2327 and re-associate them with MDL 2326;
- 2) for any case listed on Exhibit A that is on the pending inactive docket, remove only the MDL Ethicon Inactive flag;
- 3) for any case listed in the Exhibit that had a 2327 Wave 8 flag prior to the entry of this Order, file MDL 2326 PTOs # 175 and 187;
- 4) For any case listed in the Exhibit that had a 2327 Wave 8 flag prior to the entry of this Order, change the 2327 Wave 8 flag to MDL 2326 Wave 4 flag;
- 5) file a copy of this order in In re: Boston Scientific Corporation, 2:12-md-2326, and in the individual cases listed on Exhibit A; and,
- 6) send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: September 24, 2018



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

**Exhibit A**

<b>Civil Action No.</b>	<b>Case Name</b>	<b>ECF Motion No.</b>
2:12-cv-05677	Aguirre et al v. Ethicon, Inc. et al	28
2:15-cv-15166	Appenzeller v. Ethicon, Inc. et al	12
2:15-cv-08632	Arnett et al v. Ethicon, Inc. et al	12
2:15-cv-07406	Arnold v. Ethicon, Inc. et al	13
2:15-cv-07033	Atwood v. Ethicon, Inc. et al	11
2:14-cv-08059	Aviles v. Ethicon, Inc. et al	14
2:14-cv-29371	Baker v. Ethicon, Inc. et al	10
2:13-cv-22781	Bassetti v Ethicon	17
2:13-cv-09910	Blevins et al v. Ethicon, Inc. et al	16
2:13-cv-12090	Bollinger et al v. Ethicon, Inc. et al	16
2:12-cv-05575	Brake et al v. Ethicon, Inc. et al	40
2:14-cv-01139	Brannen v. Ethicon, Inc. et al	13
2:14-cv-09594	Brewer et al v. Ethicon, Inc. et al	11
2:13-cv-01883	Brewer et al v. Ethicon, Inc. et al	19
2:14-cv-07789	Brown et al v. Ethicon, Inc. et al	13
2:14-cv-04735	Bumgarner v. Ethicon, Inc. et al	19
2:13-cv-01077	Callaway et al v. Ethicon, Inc. et al	19
2:13-cv-25235	Campbell v. Ethicon, Inc. et al	11
2:12-cv-05435	Carter et al v. Ethicon, Inc. et al	25
2:15-cv-05070	Casian et al v. Boston Scientific Corporation et al	13
2:12-cv-05705	Clark v. Ethicon, Inc. et al	30
2:14-cv-13679	Clark v. Ethicon, Inc. et al	15
2:14-cv-07096	Cobb et al v. Ethicon, Inc. et al	17
2:15-cv-07919	Collins v. Ethicon, Inc. et al	12
2:14-cv-14674	Contreras et al v. Ethicon, Inc. et al	13
2:14-cv-20085	Cook v. Ethicon, Inc. et al	12
2:12-cv-08595	Crom et al v. Ethicon, Inc. et al	19
2:14-cv-03396	Dehn v. Ethicon, Inc. et al	14
2:14-cv-10120	Delbene et al v. Ethicon, Inc. et al	12
2:13-cv-30568	Donlin et al v. Ethicon, Inc. et al	20
2:14-cv-10198	Dubois v. Ethicon, Inc. et al	12
2:14-cv-02201	Eagles v. Ethicon, Inc. et al	12
2:13-cv-02643	Edlin et al v. Ethicon, Inc. et al	16
2:13-cv-09027	Emblom v. Ethicon, Inc. et al	16
2:13-cv-30368	Ernst et al v. Ethicon, Inc. et al	13
2:13-cv-27680	Fant et al v. Ethicon, Inc. et al	15
2:14-cv-06656	Fletcher v. Ethicon, Inc. et al	13
2:15-cv-03984	Flowers v. Ethicon, Inc. et al	12
2:15-cv-05433	Garcia v. Ethicon, Inc. et al	12
2:13-cv-10259	Garcia v. Ethicon, Inc. et al	14
2:14-cv-09585	Gee v. Ethicon, Inc. et al	16
2:14-cv-09595	Geraths et al v. Ethicon, Inc. et al	12
2:15-cv-07439	Glaseser et al v. Ethicon, Inc., et al	12
2:14-cv-00326	Glenn v. Ethicon, Inc. et al	14

**Exhibit A**

2:14-cv-29322	Golec et al v. Ethicon, Inc. et al	10
2:14-cv-00291	Gonzales et al v. Ethicon, Inc. et al	10
2:13-cv-32792	Gonzales et al v. Ethicon, Inc. et al	11
2:14-cv-06660	Gordon v. Ethicon, Inc. et al	13
2:14-cv-03620	Graham v. Ethicon, Inc. et al	13
2:13-cv-10453	Griffiths v. Ethicon, Inc. et al	18
2:14-cv-07790	Hange et al v. Ethicon, Inc. et al	13
2:15-cv-11268	Harris v. Ethicon, Inc. et al	11
2:13-cv-12088	Hidalgo v. Ethicon, Inc. et al	18
2:13-cv-22092	Hird et al v. Ethicon, Inc. et al	23
2:15-cv-11326	Hirsch et al v. Ethicon, Inc. et al	11
2:16-cv-02120	Hitchings v. Ethicon, Inc. et al	11
2:12-cv-09975	Holman et al v. Ethicon, Inc. et al	15
2:14-cv-07792	Hunt et al v. Ethicon, Inc. et al	13
2:12-cv-09799	Hunt v. Ethicon, Inc. et al	16
2:14-cv-08590	Jackson v. Ethicon, Inc. et al	13
2:12-cv-00357	Jacobson et al v. Ethicon, Inc. et al	27
2:16-cv-07250	Jimenez v. Ethicon, Inc. et al	10
2:14-cv-04207	Johnson et al v. Ethicon, Inc. et al	12
2:13-cv-02616	Kimble v. Ethicon, Inc. et al	15
2:12-cv-00889	Kitchings et al v. Ethicon, Inc. et al	29
2:13-cv-02909	Laughner et al v. Ethicon, Inc. et al	15
2:14-cv-06668	LeBlanc v. Ethicon, Inc. et al	13
2:14-cv-06651	Legas v. Ethicon, Inc. et al	19
2:14-cv-29361	Leverich v. Ethicon, Inc. et al	11
2:15-cv-04346	Lingerfelt v. Ethicon, Inc. et al	12
2:14-cv-29363	lopez et al v. Ethicon, Inc. et al	8
2:14-cv-15529	Lopez Moya et al v. Ethicon, Inc. et al	13
2:12-cv-06275	Manning et al v. Ethicon, Inc. et al	22
2:12-cv-01537	McCracken et al v. Ethicon, Inc. et al	27
2:12-cv-01788	McFarland et al v. Ethicon, Inc. et al	31
2:14-cv-10204	McKinney et al v. Ethicon, Inc. et al	10
2:12-cv-08410	McLemore v. Ethicon, Inc. et al	19
2:15-cv-16188	McSpdden v. Ethicon, Inc. et al	12
2:14-cv-06653	Mendoza v. Ethicon, Inc. et al	12
2:13-cv-08052	Mucci v. Ethicon, Inc. et al	14
2:13-cv-30500	O'Hara v. Ethicon, Inc. et al	12
2:13-cv-11396	Owens v. Ethicon, Inc. et al	15
2:12-cv-01487	Phillips v. Ethicon, Inc. et al	30
2:13-cv-13400	Pindell et al v. Ethicon, Inc. et al	15
2:14-cv-07797	Plaaza v. Ethicon, Inc. et al	10
2:15-cv-03436	Quesada et al v. Ethicon, Inc. et al	12
2:14-cv-29365	Quinonez v. Ethicon, Inc. et al	10
2:14-cv-09597	Raddigan v. Ethicon, Inc. et al	13
2:15-cv-12019	Rasmussen v. Ethicon, Inc. et al	17

**Exhibit A**

2:13-cv-15683	Regier v. Ethicon, Inc. et al	18
2:12-cv-05700	Reid et al v. Ethicon, Inc. et al	31
2:13-cv-11404	Rickman v. Ethicon, Inc. et al	16
2:14-cv-00732	Robba v. Ethicon, Inc. et al	16
2:13-cv-17561	Robinson et al v. Ethicon, Inc. et al	11
2:15-cv-02340	Rollins v. Ethicon, Inc. et al	9
2:13-cv-10438	Rollwagen v. Ethicon, Inc. et al	23
2:13-cv-17600	Ross et al v. Ethicon, Inc. et al	15
2:14-cv-02231	Schleppegrell et al v. Ethicon, Inc. et al	11
2:15-cv-12679	Smith v. Johnson & Johnson et al	21
2:14-cv-07803	Spayd et al v. Ethicon, Inc. et al	12
2:12-cv-03851	Taggart v. Ethicon, Inc. et al	39
2:12-cv-05313	Taylor et al v. Ethicon, Inc. et al	27
2:15-cv-04816	Thompson v. Ethicon, Inc. et al	12
2:13-cv-18777	Trimble v. Ethicon, Inc. et al	32
2:15-cv-07923	Tyler v. Ethicon, Inc. et al	13
2:15-cv-08696	Walker et al v. Ethicon, Inc. et al	13
2:13-cv-21926	Webb v. Ethicon, Inc. et al	20
2:14-cv-10213	Wilkinson v. Ethicon, Inc. et al	12
2:12-cv-01490	Williams v. Ethicon, Inc. et al	33
2:15-cv-11439	Young v. Ethicon, Inc. et al	8